

(1)

M/s M.M. Basu
S.S. Mohapatra
H.K. Swain

CAT/1/11
D.M. Dash
P.K. Nayak
Miss N. Rath

(A)
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A./T.A./R.A. No. 355 1996

Nazma Begum Applicant(s)
Versus
Union of India, Respondent(s)

Sr. No.	Date	Order with Signature
1	17.5.96	<p>REGISTER</p> <p><i>Cr</i> Registrar</p> <p>Heard Shri M.M. Basu, learned counsel for the applicant. In this application the relief sought for is to direct the respondents to employ the applicant against any vacancy suitable to her qualification on compassionate ground and pay the outstanding dues of her husband.</p> <p>The brief facts of this case are that the applicant's husband Sk. Ahemed employed as a Pipe Fitter in the Establishment of Inspector of Works, S.E. Railway, Khurda Road (Respondent No. 2). He had married to the applicant on 30.5.1985. There were disputes between the husband and the wife. Sk. Ahemed, allegedly did not pay her any maintenance in accordance with the Court's order whereupon a portion of his salary was attached. Concurrently, Sk. Ahemed submitted an application for voluntary retirement depriving the applicant of even the maintenance allowance due to her by the orders of the Court.</p> <p>I. P. O. RS. 50/- filed.</p> <p>May be placed before Registrar for Registration.</p> <p><i>Verdict</i> 15.5.96</p> <p>For admission of Interim Orders.</p> <p><i>Subd</i> 16/5</p> <p>Bency</p>

Serial No. of Order	Date of Order	Order with Signature
.. 2	17.5.96	<p>It was discovered that Sk.Ahemed had not rendered 20 years of qualifying service, and therefore, his request for voluntary retirement was premature. Efforts on the part of the employer, Railways, ^{to elicit} response from the husband of the applicant was in vain because he was not traceable. The applicant issued a notice to the Railways stating that she being the wife of Sk.Ahemed was lawfully entitled to maintenance from her husband, particularly when she obtained a decree from a Court of competent jurisdiction, ^{she prayed that} the pensionary dues and D.C.R.G. of her husband should be disbursed to her.</p> <p>A copy of this notice dated 2.3.1993 is annexed as Annexure-2 to this application.</p> <p>As Sk.Ahemed abandoned his job, the applicant approached the Divisional Manager, S.E.Railway, Khurda Road (Respondent 2) for a compassionate appointment. This plea for compassionate appointment has also been mentioned in the application addressed to the Divisional Railway Manager, Khurda Road as well as General Manager, S.E.Railway, Garden Reach, Calcutta. Annexure-3 is another petition covering the same ground dated 24.5.1995. Annexure-4 is also a similar application dated 13.6.1995. Shri Basu, states that these representations have not been disposed of so far. This Original Application, in my view, can be disposed of by an appropriate direction to Respondent 2 in this application to dispose of the representations addressed to him which form Annexures 2, 3 and 4 in this petition.</p> <p>I accordingly direct the Divisional Railway Manager, (Res. 2) to dispose of these</p>

3

(A)

OA 355/96

Serial No. of Order	Date of Order	Order with Signature
..1	17.5.96	<p>three representations addressed to him within a period of six weeks from the date of receipt of this order and pass a reasoned and speaking order be passed and communicated to the applicant after the disposal of the same.</p> <p>The Original Application is disposed of accordingly.</p> <p>Hand over a copy of the order to the petitioner's counsel.</p> <p><i>Narasimha Achar</i> MEMBER (ADMINISTRATIVE)</p> <p>Free copy of order dt. 17.5.96 and original application may be sent to all the deputys. by Regd. Post, and the copy of order may be given to the Petitioner counsel.</p> <p><i>S. O.</i></p> <p><u>M</u> 24.5.96</p> <p>Received copy of the order dt. 17.5.96 on behalf of the applicant.</p> <p><i>Subhash Ch.</i> 27.5.96</p>